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16 *Attorney for Defendant Benjamin Wood*

14 UNITED STATES DISTRICT COURT
15 DISTRICT OF NEVADA

16 NICOLE GREENE,

17 Plaintiff,

18 vs.

19 BENJAMIN WOOD, an Individual; and
20 FRONTIER AIRLINES, INC., a Foreign
21 Corporation; DOES 1 through 20, inclusive;
22 ROE CORPORATIONS, 1 through 20,
23 inclusive;

24 Defendant.

Case No. 2:20-cv-00818-JAD-NJK

**DEFENDANTS' JOINT STATEMENT
REGARDING REMOVAL**

23 Pursuant to the Court's Minute Order dated May 6, 2020, (ECF No. 3), Defendant FRONTIER
24 AIRLINES, INC. ("Frontier"), by and through its attorneys of record, Littler Mendelson, and
25 Defendant BENJAMIN WOOD ("Defendant Wood") (collectively "Defendants"), by and through his
26 attorney of record, Ross C. Goodman, hereby provide the following Statement Regarding Removal:
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1 **1. The date(s) on which you were served with a copy of the complaint in the removed**
 2 **action.**

3 The Complaint was served on Frontier on April 7, 2020, and on Defendant Wood on May 1,
 4 2020.

5 **2. The date(s) on which you were served with a copy of the summons.**

6 The Summons was served on Frontier on April 7, 2020, and on Defendant Wood on May 1,
 7 2020.

8 **3. In removals based on diversity jurisdiction, the names of any served defendants**
 9 **who are citizens of Nevada, the citizenship of the other parties and a summary of defendant's**
 10 **evidence of the amount in controversy.**

11 This action is a civil action of which this Court has jurisdiction under 28 U.S.C. § 1332, and
 12 this action may be removed to this Court by Defendants pursuant to the provisions of 28 U.S.C.
 13 § 1441(b) in that it is a civil action between citizens of different states, and the matter in controversy
 14 exceeds the sum of \$75,000.00 exclusive of interest and costs.

15 **Diversity:** Defendants are informed and believe that Plaintiff was a citizen of the State of
 16 Nevada at the time of filing the Complaint and is presently a citizen of the same as alleged in her
 17 Complaint. (Complaint ¶ 1, ECF No. 1). Plaintiff recognizes in the allegations and the caption of the
 18 Complaint that Frontier is a foreign corporation to Nevada. (*Id.* ¶ 3). Frontier is incorporated and has
 19 its principal place of business in Colorado.

20 Additionally, Plaintiff recognizes in the allegations that Defendant Wood is a foreign
 21 individual to Nevada. (*Id.* ¶ 2). While Plaintiff alleges that Defendant Wood is a citizen of
 22 Philadelphia, Pennsylvania, Defendant Wood is actually a resident and citizen of Oklahoma.
 23 Therefore, there is diversity of citizenship between the parties.

24 **Amount in Controversy:** Defendants have evidence that the amount in controversy exceeds
 25 \$75,000.00 based on the following undisputed and verifiable facts: Plaintiff seeks (1) “an award of
 26 compensatory damages in her favor and against the Defendant in an amount in excess of \$15,000;”
 27 (2) “exemplary and punitive damages in the amount in excess of \$15,000 should be awarded to punish
 28

the Defendant;” (3) fees and costs of suit; (4) “[f]or interest thereon at the legal rate until paid in full;” and (5) any other relief awarded by the Court. (Compl. at 10:12-15). Plaintiff is further seeking “in excess of Fifteen Thousand Dollars (\$15,000)” for all five of her causes of action against Defendants, totaling in excess of \$75,000. *Id.* at ¶ 37 (assault claim), ¶ 44 (battery claim), ¶ 52 (infliction of mental and emotional distress claim against Defendant Wood), ¶ 62 (infliction of mental and emotional distress claim against Defendant Frontier); and ¶ 67 (negligent hiring and supervision). Thus, Plaintiff’s alleged economic damages total over \$75,000.00 and establish the amount-in-controversy.

4. If your notice of removal was filed more than thirty (30) days after you first received a copy of the summons and complaint, the reason removal has taken place at this time and the date you first received a paper identifying the basis for removal.

Not applicable. Defendants filed their Notice of Removal on May 6, 2020, which was within thirty days after Frontier was served with a copy of the Summons and Complaint on April 7, 2020.

5. In actions removed on the basis of the court’s jurisdiction in which the action in state court was commenced more than one year before the date of removal, the reasons this action should not summarily be remanded to the state court.

Not applicable. The state court action was commenced on January 31, 2020.

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1 6. The name(s) of any defendant(s) known to have been served before you filed the
2 notice of removal who did not formally join in the notice of removal and the reasons they did
3 not.

4 None.

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6 Dated: May 21, 2020

7 Respectfully submitted,

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10 _____
11 ROGER GRANDGENETT, ESQ.
12 AMY THOMPSON, ESQ.
13 KELSEY STEGALL, ESQ.
14 LITTLER MENDELSON, P.C.
15 Attorneys for Defendant
16 FRONTIER AIRLINES, INC.

/- /

17 _____
18 /s/ Ross C. Goodman, Esq.
19 ROSS C. GOODMAN, ESQ. (7722)
20 GOODMAN LAW GROUP, P.C.
21 520 S. Fourth Street, Second Floor
22 Las Vegas, Nevada 89101
23 Attorney for Defendant Benjamin Wood

PROOF OF SERVICE

I am a resident of the State of Nevada, over the age of eighteen years, and not a party to the within action. My business address is 3960 Howard Hughes Parkway, Suite 300, Las Vegas, Nevada 89169-5937. On May 21, 2020, I served the within document(s):

DEFENDANTS' JOINT STATEMENT REGARDING REMOVAL



by placing a true copy of the document(s) listed above for collection and mailing following the firm's ordinary business practice in a sealed envelope with postage thereon fully prepaid for deposit in the United States mail at Las Vegas, Nevada addressed as set forth below.

Please note due to COVID-19, our offices are working remotely. As such hard copy will be mailed out by Nationwide. Thank you.

Nicole Greene (Pro Se Plaintiff)
1350 Kelso Dunes Avenue
Unit 526
Henderson, NV 89014

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 21, 2020, at Las Vegas, Nevada.

/s/ Maribel Rodriguez

Maribel Rodriguez